| United States Bankruptcy Court Eastern District of North Carolina Fayetteville Division |                                  |  |  |  |  |
|---|----------------------------------|--|--|--|--|
| Debtor 1  | Ellis Tyrone McKenzie            | Social Security number or ITIN xxx-xx-6486 |  |  |  |
|   | First Name Middle Name Last Name | EIN  |  |  |  |
| Debtor 2<br>(Spouse, if filing)   | <del></del> -                    | Social Security number or ITIN             |  |  |  |
|   | First Name Middle Name Last Name | EIN  |  |  |  |
|   |                                  | Date case filed for chapter 13 7/28/17     |  |  |  |

## Official Form 309I Notice of Chapter 13 Bankruptcy Case

Case number: 17-03723-5-JNC

12/15

For the debtors listed above, a case has been filed under chapter 13 of the Bankruptcy Code. An order for relief has been entered. This notice has important information about the case for creditors, debtors, and trustees, including information about the meeting of creditors and deadlines. Read both pages carefully.

The filing of the case imposed an automatic stay against most collection activities. This means that creditors generally may not take action to collect debts from the debtors, the debtors' property, and certain codebtors. For example, while the stay is in effect, creditors cannot sue, garnish wages, assert a deficiency, repossess property, or otherwise try to collect from the debtors. Creditors cannot demand repayment from debtors by mail, phone, or otherwise. Creditors who violate the stay can be required to pay actual and punitive damages and attorney's fees. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although debtors can ask the court to extend or impose a stay.

Confirmation of a chapter 13 plan may result in a discharge. Creditors who assert that the debtors are not entitled to a discharge under 11 U.S.C. § 1328(f) must file a motion objecting to discharge in the bankruptcy clerk's office within the deadline specified in this notice. Creditors who want to have their debt excepted from discharge may be required to file a complaint in the bankruptcy clerk's office by the same deadline. (See line 13 below for more information.)

To protect your rights, consult an attorney. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below or through PACER (Public Access to Court Electronic Records at <a href="https://www.pacer.gov">www.pacer.gov</a>).

The staff of the bankruptcy clerk's office cannot give legal advice.

To help creditors correctly identify debtors, debtors submit full Social Security or Individual Taxpayer Identification Numbers, which may appear on a version of this notice. However, the full numbers must not appear on any document filed with the court.

Do not file this notice with any proof of claim or other filing in the case. Do not include more than the last four digits of a Social Security or Individual Taxpayer Identification Number in any document, including attachments, that you file with the court.

|  | About Debtor 1:  | About Debtor 2:   |
|--|--|---|
| 1. Debtor's full name  | Ellis Tyrone McKenzie  |   |
| 2. All other names used in the last 8 years  |  |   |
| 3. Address   | 330 Lionshead Road<br>Fayetteville, NC 28311   |   |
| Debtor's attorney     Name and address   | Jeremy Harn<br>Law Offices of John T. Orcutt, PC<br>6616–203 Six Forks Road<br>Raleigh, NC 27615 | Contact phone: 919 847–9750   |
| 5. Bankruptcy trustee<br>Name and address  | Joseph A. Bledsoe III<br>PO Box 1618<br>New Bern, NC 28563                                       | Contact phone: 252 633-0074   |
| 6. Bankruptcy clerk's office  Documents in this case may be filed at this address.  You may inspect all records filed in this case at this office or online at <a href="https://www.pacer.gov">www.pacer.gov</a> . | 300 Fayetteville Street, 4th Floor<br>P.O. Box 791<br>Raleigh, NC 27602                          | Office Hours: 8:30 a.m. – 4:30 p.m.<br>Contact phone: 919–856–4752<br>Date: 7/31/17 |

For more information, see page 2

Debtor Ellis Tyrone McKenzie Case number 17–03723–5–JNC

| 7. Meeting of creditors  Debtors must attend the meeting to  | September 22, 2017 at 10:30 AM   | Location:  |
|--|--|--|
| be questioned under oath. In a joint<br>case, both spouses must attend.<br>Creditors may attend, but are not<br>required to do so. | The meeting may be continued or adjourned to a later date. If so, the date will be on the court  | 300 Fayetteville Street, Suite 130, Raleigh, NC 27601  |
| 1044.104 10 40 501   | docket.  | Please bring a government issued picture ID with you to the meeting of creditors. This ID is required for entry into the building.   |
| Deadlines     The bankruptcy clerk's office must receive these documents and any   | Deadline to file a complaint to challenge dischargeability of certain debts:   | Filing deadline: 11/21/17  |
| required filing fee by the following deadlines.  | You must file:  a motion if you assert that the debtors are not entitled to receive a discharge under U.S.C. § 1328(f) or  a complaint if you want to have a particular debt excepted from discharge under   |  |
|  | 11 U.S.C. § 523(a)(2) or (4).  Deadline for all creditors to file a proof of clain (except governmental units):  | n Filing deadline: 12/21/17  |
|  | Deadline for governmental units to file a proof claim:   | of Filing deadline: 1/24/18  |
|  | Deadlines for filing proof of claim:  A proof of claim is a signed statement describing a creditor's <a href="https://www.nceb.uscourts.gov">www.nceb.uscourts.gov</a> or any bankruptcy clerk's office. Alt the above website by accessing the Proof of Claim section. complete a paper claim form.   | ernatively, the claim may be filed electronically on   |
|  | If you do not file a proof of claim by the deadline, you might a proof of claim even if your claim is listed in the schedules t  | not be paid on your claim. To be paid, you must file hat the debtor filed.   |
|  | Secured creditors retain rights in their collateral regardless of claim submits the creditor to the jurisdiction of the bankruptor. For example, a secured creditor who files a proof of claim mincluding the right to a jury trial.   | y court, with consequences a lawyer can explain.   |
|  | Deadline to object to exemptions: The law permits debtors to keep certain property as exempt. believe that the law does not authorize an exemption claime may file an objection.   |  |
| 9. Filing of plan  | The debtor has filed a plan. The plan or a summary of the pla separately.  | an and notice of confirmation hearing will be sent   |
| 10. Creditors with a foreign address   | If you are a creditor receiving a notice mailed to a foreign ad extend the deadline in this notice. Consult an attorney familia questions about your rights in this case.  | dress, you may file a motion asking the court to ar with United States bankruptcy law if you have any  |
| 11. Electronic noticing  | Parties may opt to receive notices from the court via email ra   | ther than U.S. Mail. Register at ebn.uscourts.gov.   |
| 12. Filing a chapter 13 bankruptcy case  | Chapter 13 allows an individual with regular income and deb according to a plan. A plan is not effective unless the court or plan and appear at the confirmation hearing. A copy or summ later, and if the confirmation hearing is not indicated on this inhearing. The debtor will remain in possession of the property unless the court orders otherwise.  | onfirms it. You may object to confirmation of the<br>nary of the plan, if not enclosed, will be sent to you<br>notice, you will be sent notice of the confirmation   |
| 13. Exempt property  | The law allows debtors to keep certain property as exempt. It to creditors, even if the case is converted to chapter 7. Debtor You may inspect that list at the bankruptcy clerk's office or or does not authorize an exemption that debtors claimed, you may be some content of the | ors must file a list of property claimed as exempt.  Inline at www.pacer.gov. If you believe that the law  |
| 14. Discharge of debts   | Confirmation of a chapter 13 plan may result in a discharge of However, unless the court orders otherwise, the debts will not are made. A discharge means that creditors may never try to as provided in the plan. If you want to have a particular debt 523(a)(2) or (4), you must file a complaint and pay the filing from you believe that the debtors are not entitled to a discharge of must file a motion. The bankruptcy clerk's office must receive exemptions in line 8.  | of the discharged until all payments under the plan of collect the debt from the debtors personally except excepted from discharge under 11 U.S.C. § ee in the bankruptcy clerk's office by the deadline. If any of their debts under 11 U.S.C. § 1328(f), you |